

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

|                                    |   |   |
|------------------------------------|---|---|
| -----                              | X |   |
| MONTVALE SURGICAL CENTER, LLC,     | : | Hon. Esther Salas, U.S.D.J.                 |
| a/s/o GRIFFIN BINKO,               | : | Case No. 12-cv-4166-ES-CLW                  |
|                                    | : |   |
| Plaintiff(s),                      | : | Civil Action                                |
|                                    | : |   |
| v.                                 | : |   |
|                                    | : | <b>STIPULATION AND CONSENT ORDER</b>        |
| HORIZON BLUE CROSS BLUE            | : |   |
| SHIELD OF NJ, INC.; NOVARTIS       | : | <b><u>Document Electronically Filed</u></b> |
| PHARMACEUTICALS CORPORATION;       | : |   |
| ABC CORP. (1-10) (said names being | : |   |
| fictitious and unknown entities),  | : |   |
|                                    | : |   |
| Defendant(s).                      | : |   |
| -----                              | X |   |

IT IS HEREBY STIPULATED BY, Plaintiffs and Defendants Novartis Pharmaceuticals Corporation and Horizon Blue Cross Blue Shield of New Jersey that Plaintiffs Motion to File an Amended Complaint, which is currently returnable on January 7, 2013, be returnable on January 22, 2013.

Dated: December 26, 2012

s/ Andrew R. Brosnick, Esq.  
Andrew R. Bronsnick, Esq.  
MASSOOD & BROSニック, LLC  
Attorneys for Plaintiffs  
Montvale Surgical Center, LLC a/s/o Griffin Binko

s/ Matthew A. Baker, Esq.  
Matthew A. Baker, Esq.  
CONNELL FOLEY LLP  
Attorneys for Defendant  
Horizon Blue Cross Blue Shield of  
New Jersey

s/ Jocelyn A. Merced, Esq.  
Jocelyn A. Merced, Esq.  
Edward Cerasia, Esq.

OGLETREE, DEAKINS, NASH,  
SMOAK & STEWART, P.C.  
*Attorneys for Defendant*  
*Novartis Pharmaceuticals Corporation*

So Ordered this \_\_\_\_ day of December, 2012.

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Hon. Esther Salas, U.S.D.J.

14001069.1 (OGLETREE)